

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

2004 MAY 25 P 4:41

U.S. DISTRICT COURT  
DISTRICT OF MASS.

BECTON, DICKINSON and COMPANY,

Plaintiff,

v.

THERASENSE, INC.,

Defendant.

CIVIL ACTION NO. 04-10574JLT

**PRO HAC VICE CERTIFICATION OF TED DANE**

Pursuant to Local Rule 85.5.3 of the Federal Court for the District of Massachusetts, the foregoing attorney hereby requests that he be permitted to practice *pro hac vice* in the above captioned matter, and states as follows:

I, Ted Dane, am a partner with the firm of Munger, Tolles & Olson LLP of Los Angeles, California, and have been admitted to practice in the state of California since 1991. I am admitted to practice in United States Federal Court for the Southern, Central, Eastern and Northern Districts of California and the District of Arizona, the United States Court of Appeals for the 7<sup>th</sup>, 9<sup>th</sup>, and Federal Circuits, and the United States Supreme Court. I am not currently under any order of disbarment, suspension or any other disciplinary action. Further, I will be actively associated in this litigation with the law firm of Bingham McCutchen, through attorneys Daniel L. Goldberg and Joshua M. Dalton, who are members of the United States Federal Court for the District of Massachusetts.

I have read and familiarized myself with the Local Rules for the Federal District court for the District of Massachusetts.



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Ted Dane (California State Bar No. 143195)  
Munger, Tolles & Olson LLP  
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Los Angeles, California  
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Dated: May 21, 2004